



Attorney Docket No.: KAN-002-B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **KANDIL, Osama**

Title: **Lipid Fraction of Nigella sativa L. Seeds**

Appl. No.: **10/809,856**

Filing Date: **March 26, 2004**

Examiner: **Not Assigned**

Art Unit: **1654**

MAIL STOP: MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, mailed June 14 2004, a copy of which is submitted herewith, Applicant submits herewith an executed declaration for utility patent application in accordance with 37 CFR § 1.63 as well as an executed power of attorney and correspondence indication form. Applicant also submits herewith the requisite surcharge of \$65.00 set forth in 37 CFR § 1.16(e). As the Notice sets forth a two-month period for response, response is due on or before **August 14, 2004**. Accordingly, Applicant submits that this response is timely and no additional fee is required. However, in the event that additional fees are required to maintain the pendency of this application, the Commissioner is authorized to charge such fees to our Deposit Account No. 50-2101.

Respectfully submitted,

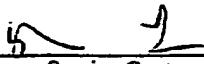
Date: 08-09-04

Smith Patent Consulting, LLC
P.O. Box 2726
Alexandria, VA 22301
Telephone: (703) 549-7691
Facsimile: (703) 549-7692

By


Chalin A. Smith
Attorney for Applicant
Registration No. 41,569

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Attorney Docket No.: KAN-002-B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TRANSMITTAL LETTER

Dear Sir:

Please find the following correspondence items submitted by hand delivery to the United States Patent and Trademark Office Customer Window at 2011 South Clark Place, Arlington, Virginia, for filing on the date shown below:

1. Response to Notice of Missing Parts of Nonprovisional Application (1 page);
2. Notice of Missing Parts of Nonprovisional Application (2 pages);
3. Executed Declaration & Power of Attorney (3 pages);
4. Fee Transmittal (1 page); and
5. Check No. 1325 in the amount of \$65.00.

Respectfully submitted,

Date: 08-09-04

Smith Patent Consulting, LLC
P.O. Box 2726
Alexandria, VA 22301
Telephone: (703) 549-7691
Facsimile: (703) 549-7692

By

Chalin A. Smith
Chalin A. Smith
Attorney for Applicant
Registration No. 41,569



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

Complete if Known

Application Number	10/809,856
Filing Date	March 26, 2004
First Named Inventor	Osama KANDIL
Examiner Name	Not Assigned
Art Unit	1654
Attorney Docket No.	KAN-001-B

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number: **Smith Patent Consulting**
Deposit Account Name: **50-2101**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$ N/A)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	<input type="text"/> X <input type="text"/> = <input type="text"/>	<input type="text"/>
Multiple Dependent	-3** =	<input type="text"/> X <input type="text"/> = <input type="text"/>	<input type="text"/>

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ N/A)

** or number previously paid, if greater; For Reissues, see above

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

(Complete if applicable)

Name (Print/Type)	Chalin A. Smith	Registration No. (Attorney/Agent)	41,569	Telephone	703-549-7691
Signature	<i>Chalin A. Smith</i>	Date	08-09-04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

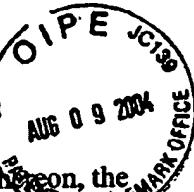
This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Applicant: **KANDIL, Osama**
U.S. Serial No.: **10/809,856**
Filing Date: **Friday, March 26, 2004**
For: **Lipid Fraction of Nigella Sativa L. Seeds**

By: **Chalin A. Smith**
Smith Patent Consulting, LLC
Atty Docket No.: **KAN-002-B**



When receipt stamp is placed hereon, the
USPTO acknowledges receipt of the following:

1. Transmittal Letter (1 page);
2. Response to Notice to File Missing Parts (1 page);
3. Notice to File Missing Parts (2 pages);
4. Executed Declaration & Power of Attorney (3 pages);
5. Fee Transmittal (1 page); and
6. Check No. 1325 for \$65.00.

1325



SMITH PATENT CONSULTING, LLC
P.O. BOX 2726 PH. 703-549-7691
ALEXANDRIA, VA 22301

65-1715
550

Date 08-09-04

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order of

USPTO

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Dollars 65

SEARCHED 1/20/04

GRANDBANK
301 S. WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314

For KAN-002-B (10/04, 856)

Check

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/809,856	03/26/2004	Osama Kandil	KAN-002-B

31496
SMITH PATENT CONSULTING CONSULTING, LLC
P.O. BOX 2726
ALEXANDRIA, VA 22301

CONFIRMATION NO. 7581

FORMALITIES LETTER

0000000012930708

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*